



MODEL LEGISLATION FOR AN EQUITABLE, DEMOCRATIC SCHOOL TURNAROUND PROGRAM

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MODEL LEGISLATION FOR AN EQUITABLE, DEMOCRATIC SCHOOL TURNAROUND PROGRAM

Tara Kini, Public Advocates

This report, a companion document to *Democratic School Turnarounds: Pursuing Equity and Learning from Evidence*, presents model state legislation to create a state-level school improvement grant program that fosters equitable, democratic, and sustainable school turnarounds in persistently low-performing schools. The proposed legislation is designed to create structures to promote meaningful community engagement in the school turnaround process and to support those turnaround efforts. It is also designed to lead to well-crafted, comprehensive turnaround plans that take into account the local school and community context and to provide a robust, democratically-created accountability system that leads to real and significant improvements for students in the state's lowest-performing schools. Although the proposed legislation is designed for state policy makers, it can also serve as a model for strengthening the federal School Improvement Grant program.

1 **A BILL FOR AN ACT**

2
3
4
5 **AN ACT TO CREATE**
6 **THE DEMOCRATIC SCHOOL TURNAROUND PROGRAM**
7
8

9
10 *Be it enacted by the Legislature of the State of ABC that Title XXX is*
11 *amended to include a new Article 123, which reads as follows:*
12

13 **ARTICLE 123**
14 **DEMOCRATIC SCHOOL TURNAROUND PROGRAM**
15

16 **Section 100. Legislative Declarations and Findings.**

17 The Legislature finds and declares that:

- 18 (a) All public school students in the state are entitled to an education that
19 prepares them to succeed in college and their careers, to participate
20 meaningfully in our democracy, and to contribute positively to the future of
21 our state.
- 22 (b) Throughout the state, many students have been provided with insufficient
23 opportunities to obtain an education that prepares them for college, career,
24 and civic engagement. In this Act, the schools enrolling these students are
25 referred to as the state’s “persistently low-performing schools.”
- 26 (c) Dramatic actions and investments are needed to dramatically improve or to
27 turn around the state’s persistently low-performing schools.
- 28 (d) The state’s most successful schools are built around a vision of student and
29 school success that is broadly shared by all stakeholders in the local school
30 community.

1 (e) Long-term improvements in school performance must be sustained by the
2 local community. To turn around persistently low-performing schools, the
3 local community must have the opportunity to develop a shared vision and a
4 concrete school improvement plan designed to make that vision a reality.
5 That community and its schools must also receive a substantial infusion of
6 resources as necessary to carry out the turnaround plan. The entire school
7 community can and should be then held accountable, based on multiple
8 measures of school success, for meeting the goals that the community has set
9 for itself.

10 (f) A democratic school turnaround process requires the engagement of a broad
11 cross-section of the school community, including teachers, parents, and
12 community organizations, in planning and implementing turnaround
13 strategies that are tailored to each school and district context.

14
15 **Section 101. Democratic School Turnaround Planning Grants.**

16 (a) It is the intent of the Legislature that the Democratic School Turnaround
17 Program benefit the students attending the state’s persistently low-
18 performing schools, beginning with the lowest-performing five percent of
19 schools. By [DATE], the State Board of Education shall promulgate
20 regulations for determining school performance, for defining the term
21 “persistently low-performing school,” and for governing the eligibility of
22 local educational agencies and schools for the Democratic School
23 Turnaround Planning Grant Program. These regulations shall use multiple
24 measures of school opportunities to learn and school outcomes.

25 (b) All “persistently low-performing schools” shall be eligible for a single
26 Democratic School Turnaround Planning Grant in the amount of \$225,000.
27 As a condition of receiving funds under this section, the school shall comply
28 with the planning grant requirements pursuant to section 103 of this Article
29 and, within twenty-four (24) months of receiving funds under this section,
30 submit to the State Department of Education a School Improvement Plan
31 pursuant to section 104 of this Article.

32
33 **Section 102. Democratic School Turnaround Program Grants.**

34 (a) Any persistently low-performing school that has successfully exited the
35 Democratic School Turnaround Planning Grant Program may apply for
36 assistance under the Democratic School Turnaround Program.

37 (b) The State Department of Education shall use a peer review process to review
38 applications for assistance under the Democratic School Turnaround

1 Program. The State Department of Education shall publish the selection
2 criteria used to select peer reviewers as well as the selection criteria that
3 peer reviewers use to evaluate applications.

4 (c) The State Department of Education shall award Democratic School
5 Turnaround Program grants in a manner that, to the extent possible, ensures
6 that the grants target schools in which high-need students are concentrated;
7 represent a diverse distribution of grade levels; and are distributed
8 throughout different geographic regions of the state.

9 (d) Local educational agencies shall receive Democratic School Turnaround
10 Program funding on behalf of funded schools for up for five years. For years
11 one through three, the rate shall be one thousand dollars (\$1,000) per
12 enrolled pupil in funded schools per year. For years four and five, the rate
13 shall be five hundred dollars (\$500) per enrolled pupil in funded schools per
14 year.

15 (e) The State Department of Education or its designee shall at the completion of
16 a funded school's third year of funding, and every year thereafter, make a
17 determination as to whether the school has met or exceeded the
18 accountability benchmarks set forth in the school's School Improvement
19 Plan for that year. The determination shall be based upon a review of
20 materials submitted by the school and local educational agency, as well as
21 available state data.

22 (f) The State Department of Education shall terminate funding for any school
23 that has not met at least eight (8) of its ten (10) accountability benchmarks
24 for that year. A school that has had its funding terminated may appeal for
25 reinstatement to the State Board of Education.

26
27 **Section 103. Democratic School Turnaround Planning Grant**
28 **Requirements.**

29 (a) Each local educational agency receiving a Democratic School Turnaround
30 Planning Grant under this Article shall, for each school for which it has
31 received a grant, do each of the following:

32 (1) Hold at least two accessible public hearings at the school site to
33 discuss what it means to be an eligible persistently low-performing
34 school and to describe the school improvement planning process
35 required as a condition of receipt of funds under a Democratic School
36 Turnaround Planning Grant, including the opportunities for family
37 and community participation.

38 (2) Though a public process, establish a School Improvement Team
39 which shall include, but is not limited to, the school principal, two

1 teachers from the school, two parents of students at the school, a
2 community representative, a local educational agency staff member
3 with expertise in school improvement, and—for high schools—a
4 student in grade nine, ten or eleven at the school.

5 (A) During a planning period of not less than one full school year, the
6 School Improvement Team shall, in regularly scheduled public
7 meetings:

8 (i) Conduct a comprehensive assessment of the school’s capacity
9 and needs, as well as factors outside of the school that
10 influence student success. The assessment shall incorporate
11 qualitative and quantitative indicators and openly describe
12 how they were used.

13 (ii) Develop a shared vision for the school, set forth in a School
14 Improvement Plan as required under section 104 of this
15 Article. The Plan shall implement the shared vision and shall
16 include, but not necessarily be limited to, tangible short-term
17 changes and three- to five-year reform benchmarks. The
18 shared vision and School Improvement Plan shall be informed
19 by parent, student, teacher, and community input obtained
20 through surveys, accessible public meetings, and other means.

21 (3) In collaboration with the School Improvement Team, publicly present
22 at an accessible public hearing, and provide an opportunity for public
23 comment on, the School Improvement Plan as well as the steps the
24 local educational agency will take to support implementation of the
25 School Improvement Plan.

26 (b) Each local educational agency receiving two or more Democratic School
27 Turnaround Planning Grants shall establish a Democratic School
28 Turnaround Advisory Committee which shall include, but not be limited to,
29 representatives from each school site receiving a planning grant pursuant to
30 this Article and local educational agency staff members with responsibility
31 for implementing the Democratic School Turnaround Program. The purpose
32 of the Democratic School Turnaround Advisory Committee shall be to
33 facilitate the exchange of information among school sites as well as within
34 the broader community on best practices and lessons learned during the
35 school turnaround process.

36 (c) As used in this section, the term “accessible” means a public meeting that—

37 (1) is held during evening or weekend hours;

38 (2) provides two-way translation for participants who are not proficient
39 in English, where fifteen percent or more of the students enrolled in
40 the funded school speak a single primary language other than
41 English;

42 (3) provides free child care; and

1 (4) is announced at least three days in advance using at least three
2 methods of communication that are designed to reach a majority of
3 the school community and to result in attendance by a substantial
4 percentage of parents representing each major student subgroup at
5 the school.
6

7 **Section 104. School Improvement Plan Requirements.**

8 (a) Each School Improvement Plan shall include each of the following:

9 (1) A description of the School Improvement Team’s planning process,
10 including steps taken to obtain stakeholder input, the extent and
11 nature of that input, the results of the comprehensive assessment of
12 the school’s capacity and needs, and a description of the school’s
13 shared vision.

14 (2) Comprehensive strategies to improve teaching and learning
15 including, but not limited to, each of the following:

16 (A) a plan, developed in collaboration with the local educational
17 agency, to hire and retain staff at the school who are fully
18 certified in the grade and subject matter they will teach and who
19 have demonstrated their ability to effectively carry out their
20 responsibilities under the School Improvement Plan;

21 (B) a plan to provide staff with ongoing, high-quality, job-embedded,
22 and cumulative professional development that is designed in
23 collaboration with school staff to provide them with the
24 necessary knowledge and skills to implement the School
25 Improvement Plan, including knowledge of the community in
26 which in the school is located and the student population it
27 serves as well as strategies for effective family engagement;

28 (C) a plan, developed in collaboration with the local educational
29 agency, to support students and teachers and to promote the
30 continuous use of student data to inform and differentiate
31 instruction in order to meet the academic and other needs of
32 individual students and to support the school in meeting the
33 accountability benchmarks established in the School
34 Improvement Plan;

35 (D) a plan, which may include scheduling changes and expanded
36 learning time, to ensure that staff have adequate opportunities
37 for the collaboration necessary to implement the School
38 Improvement Plan, such as for common planning, grade-level or
39 subject-area team meetings, professional development, peer
40 observations, and reviews of student progress;

1 (E) a plan, developed in collaboration with the local educational
2 agency and with a preference of mainstreamed and
3 heterogeneous classroom environments, for identifying and
4 providing additional supports to low-achieving students and to
5 students with specialized needs, such as students with
6 disabilities and English learners; and

7 (F) a plan to provide specific and ongoing opportunities for family
8 involvement in their children’s education and the school as a
9 whole, including steps the school will take to engage families
10 representative of each major student subgroup and gather their
11 input to inform ongoing decisions regarding the program,
12 climate, and operations of the school.

13 (3) Comprehensive wrap-around supports for students, including, but
14 not limited to,

15 (A) Mechanisms for meeting students’ social, emotional and health
16 needs, which may include coordination of existing services as
17 well as the development of new services based on student needs;

18 (B) Strategies to create safe school environments and improve school
19 climate and discipline, such as implementing a system of
20 positive behavioral supports, restorative justice, and taking
21 additional steps to eliminate bullying and student harassment;
22 and

23 (C) Partnerships with parents and parent organizations, faith- and
24 community-based organizations, health clinics, State or local
25 agencies, and others.

26 (4) A school-specific accountability system that shall—

27 (A) Include annual benchmarks for school improvement across ten
28 (10) metrics, aligned to the school vision and informed by the
29 school’s current context, for which the school will be held
30 accountable over the next five years. These benchmarks shall
31 include—

32 (i) the following common metrics that are available for every
33 school in the state, disaggregated by race or ethnicity,
34 free/reduced price lunch status, English learner status, and
35 special education status:

36 a. for elementary and middle schools—

37 1. proficiency rates on statewide assessments in
38 English/language arts, mathematics, science, and social
39 studies aligned to the state’s academic content
40 standards;

41 2. attendance rates;

- 1 3. suspension/expulsion rates;
- 2 4. reclassification rates for English learner students;
- 3 b. for high schools—
- 4 1. four-year adjusted cohort graduation rates, as defined
- 5 pursuant to 34 C.F.R. 200.19(b)(1);
- 6 2. proficiency rates on statewide assessments in
- 7 English/language arts, mathematics, science, and social
- 8 studies aligned to the state’s academic content
- 9 standards;
- 10 3. attendance rates;
- 11 4. suspension/expulsion rates;
- 12 5. reclassification rates for English learner students;
- 13 (ii) other metrics that may, but need not be, comparable across
- 14 schools in the state or in the local educational agency, such as
- 15 evidence of student learning as demonstrated through final
- 16 portfolios or project-based learning; evidence of student and
- 17 family engagement as demonstrated through a school climate
- 18 survey; percentage of graduates who have completed the
- 19 requirements necessary for admission to the state university
- 20 system; percentage of students enrolled in Advanced
- 21 Placement or International Baccalaureate classes and/or
- 22 passing those exams; movement of students out of classes that
- 23 are not college-preparatory; five-year graduation rates;
- 24 percentage of recent graduates enrolled in college or other
- 25 post-secondary training; and percentage of students who are
- 26 bilingual and biliterate.
- 27 (B) Assess data longitudinally to determine individual student and
- 28 school-wide improvement over time;
- 29 (C) Through an annual school opportunity report card, inform the
- 30 community about the resources available to staff and students in
- 31 helping them to meet the accountability benchmarks and
- 32 successfully turn around the school. The school opportunity
- 33 report card shall—
- 34 (i) Include, but not be limited to, school-level information and,
- 35 where available, information comparing the school to the
- 36 district and statewide average, in the following areas:
- 37 a. percentage of fully credentialed teachers;
- 38 b. average years of teacher experience;
- 39 c. teacher retention rate;
- 40 d. ratio of students per teacher;
- 41 e. ratio of students per counselor;

- 1 f. percentage of students in college preparatory classes in
- 2 mathematics, science, and English language arts;
- 3 g. number of Advanced Placement or International
- 4 Baccalaureate courses offered;
- 5 h. per pupil spending, based on actual salaries of personnel
- 6 assigned to the school;
- 7 i. progress toward meeting the accountability benchmarks
- 8 established pursuant to subsection (a)(4)(A) of section 104;
- 9 (ii) Be easy to read and understandable by students, parents, and
- 10 other community members. If fifteen percent or more of the
- 11 students enrolled in the funded school speak a single primary
- 12 language other than English, the school opportunity report
- 13 card shall, in addition to being written in English, be written
- 14 in the primary language.
- 15 (iii) Be widely distributed throughout the school community,
- 16 including on the school and local educational agency websites.
- 17 (D) Establish ongoing mechanisms that engage students, parents and
- 18 community members in the monitoring and accountability
- 19 process, and track and report data on such engagement.
- 20 (b) Each School Improvement Plan may include letters of support from relevant
- 21 stakeholders, including those who will play key partnership roles under the
- 22 plan, including, but not limited to, parent organizations, community-based
- 23 organizations, state or local agencies, and collective bargaining units.

24

25 **Section 105. Duties of the State Department of Education.**

26 The State Department of Education shall:

- 27 (a) Provide technical assistance to local educational agencies and schools
- 28 receiving funds under this Article and facilitate the exchange of best
- 29 practices and lessons learned in democratic school turnaround efforts.
- 30 Technical assistance provided shall include, but not be limited to,
- 31 (1) Identification of models for effective community engagement;
- 32 (2) Assistance in establishing and maintaining effective personnel
- 33 management, recruitment, hiring, and retention processes; and
- 34 (3) Maintenance of a publicly accessible state database of accountability
- 35 benchmarks used by schools and/or local educational agencies,
- 36 including information about the methods used by schools and local
- 37 educational agencies to track these data.
- 38 (b) Establish the State Democratic School Turnaround Advisory Committee.

1 (1) The Advisory Committee shall include, but not be limited to, experts
2 in educational reform, community engagement, assessment, and
3 measurement, representatives from local educational agencies funded
4 under this Article, and representatives from parent, student, teacher,
5 and other stakeholder organizations.

6 (2) The Advisory Committee shall—

7 (A) By [DATE], develop and recommend to the State Board of
8 Education for adoption, models and guidance for local
9 educational agencies and schools on developing school-level
10 annual accountability benchmarks and systems for tracking
11 progress toward meeting these benchmarks; and

12 (B) Advise and make recommendations to the State Board of
13 Education on policies and activities to assist the State
14 Department of Education and local educational agencies in
15 supporting funded schools.

16
17 **Section 106. Evaluation.**

18 (a) By [DATE], the State Superintendent of Public Instruction shall contract for
19 a multiyear independent evaluation of the Democratic School Turnaround
20 Program that is established pursuant to this Article. The evaluation shall be
21 based upon information gathered through—

22 (1) Surveys and focus groups of parents, teachers, principals, students,
23 and community members in funded schools and of local educational
24 agency staff in funded local educational agencies;

25 (2) Classroom observations to determine the program’s effect on the
26 quality of teaching and learning;

27 (3) Data on the provision of key school and community resources and
28 opportunities to learn;

29 (4) Information on the inclusion of the school community in the
30 turnaround process;

31 (5) Student outcome data as defined in subsection (a)(4)(A) of section
32 104 of this Article for each school site, disaggregated by race or
33 ethnicity, free/reduced price lunch status, English learner status, and
34 special education status;

35 (6) Case studies of individual schools; and

36 (7) Other relevant information as determined by the State
37 Superintendent of Public Instruction or the independent evaluator.

1 (b) Evaluation reports shall include recommendations to improve democratic
2 school turnaround efforts under this Article. The State Superintendent of
3 Public Instruction shall ensure that these recommendations are
4 disseminated to the State Democratic School Turnaround Advisory
5 Committee and to each local educational agency Democratic School
6 Turnaround Advisory Committee, which shall disseminate this information
7 to School Improvement Teams.

8 (c) The independent evaluator shall report to the Governor, the State
9 Superintendent of Public Instruction, the State Board of Education, and the
10 chairs of the education policy committees in both houses of the Legislature
11 annually by February 1, beginning February 1, [YEAR.]

12

13 **Section 107. Regulations.**

14 The State Board of Education is hereby directed to implement this Act through
15 appropriate regulations.